

REMARKS

Applicant respectfully requests reconsideration of this application as amended. Claims 2, 5, 6, 11-14 and 61-67 are pending in the application.

The Examiner has provisionally rejected claims 61 and 67 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1 or 7 of U.S. Patent Application 10/976,458. In response, Applicant is filing simultaneously herewith, a terminal disclaimer in which a terminal portion of the claims of the subject application that extends beyond the term of the claims of the U.S. Patent Application 10/976,458, if the subject application were to mature into a granted patent is disclaimed. It is respectfully submitted that in view of the terminal disclaimer, the Examiner should withdraw her rejection of claims 61 and 67 under the judicially created doctrine of obviousness-type double patenting.

The Examiner has provisionally rejected claims 2, 4, and 5 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1 or 7 of U.S. Patent Application 10/976,458. In response, Applicant is filing simultaneously herewith, a terminal disclaimer in which a terminal portion of the claims of the subject application that extends beyond the term of the claims of the U.S. Patent Application 10/976,458, if the subject application were to mature into a granted patent is disclaimed. It is respectfully submitted that in view of the terminal disclaimer, the Examiner should withdraw her rejection of claims 2, 4 and 5 under the judicially created doctrine of obviousness-type double patenting.

The Examiner has provisionally rejected claims 11 and 13 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1 or 7 of U.S. Patent Application 10/976,458. In response, Applicant is filing simultaneously herewith, a terminal disclaimer in which a terminal portion of the claims of the subject application that extends beyond the term of the claims of the U.S. Patent Application 10/976,458, if the subject

application were to mature into a granted patent is disclaimed. It is respectfully submitted that in view of the terminal disclaimer, the Examiner should withdraw her rejection of claims 11 and 13 under the judicially created doctrine of obviousness-type double patenting.

The Examiner has provisionally rejected claim 12 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1 or 7 of U.S. Patent Application 10/976,458. In response, Applicant is filing simultaneously herewith, a terminal disclaimer in which a terminal portion of the claims of the subject application that extends beyond the term of the claims of the U.S. Patent Application 10/976,458, if the subject application were to mature into a granted patent is disclaimed. It is respectfully submitted that in view of the terminal disclaimer, the Examiner should withdraw her rejection of claim 12 under the judicially created doctrine of obviousness-type double patenting.

The Examiner has provisionally rejected claims 6 and 14 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1 or 7 of U.S. Patent Application 10/976,458. In response, Applicant is filing simultaneously herewith, a terminal disclaimer in which a terminal portion of the claims of the subject application that extends beyond the term of the claims of the U.S. Patent Application 10/976,458, if the subject application were to mature into a granted patent is disclaimed. It is respectfully submitted that in view of the terminal disclaimer, the Examiner should withdraw her rejection of claims 6 and 14 under the judicially created doctrine of obviousness-type double patenting.

Accordingly, Applicant respectfully submits that the current application is now in condition for allowance and such action is earnestly solicited.

If there are any additional charges, please charge Deposit Account No. 02-2666 for any fee deficiency that may be due.

Respectfully submitted,

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